

All corrections to notes on this calendar should be filed no later than noon on 5/15/08. Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

Proposed Local Rules have been posted and can be viewed by visiting
<http://www.sbcounty.gov/courts/pdfs/misc/proposedrules.pdf>

The court welcomes your comments on these proposed rules. Please send them via E-mail to dmeyers@courts.sbcounty.gov or mail them to San Bernardino County Superior Court, 303 West Third Street, Mail Stop 240, San Bernardino, CA 92415. Comments are due by May 12, 2008. If sending comments close to the end of the comment period, please email only.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. **PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES.** No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH PROBATE

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600183

CASE NAME: ESTATE OF GEORGE F BOTTS

HEARING:
Accounting Review

COUNSEL:
JANET SIMMONS (PET)...PRO/PER
GOERGE F BOTTS (DEC)...

GENERAL INFORMATION:
Letters of Administration issued 3/15/07 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. No accounting or status report is filed.

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600275

CASE NAME: MTR OF WILLIAM CUATICO

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARY E CUATICO (PET)...GUAY P WILSON
WILLIAM CUATICO (DEC)...

GENERAL INFORMATION

Continued from 10/10/07 and 1/17/08 at request of counsel. Counsel advises that this is a no asset estate.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters testamentary issued 4/4/07, no bond required.
2. No inventory filed – litigation pending. Does Court wish to require counsel to prepare an inventory reflecting \$0.00.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700033

CASE NAME: ROY ALVIN PILCHER

HEARING:
Probate status report filed.

COUNSEL:
GREG LANGLEY (PET)...WELCH DACRE & ASSOCIATES, P.C.
ROY ALVIN PILCHER (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Probate Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued 3/27/07 (full authority, no bond)
2. Petitioner alleges the estate is not in a position to close as the estate's real property must be sold in order to satisfy creditor's claims. Petitioner requests an additional six months to conclude the estate administration.

RECOMMENDATION:

If approved, set next accounting review for 12/18/08. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700607

CASE NAME: MTR OF JONAS Q MCGLOVER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

STEPHEN MCGLOVER (PET)...MASON & MASON
JONAS Q MCGLOVER (DEC)...

GENERAL INFORMATION:

Continued from 2/14/08 and 4/17/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial No. 1 Inventory is filed. Need to submit final inventory. Counsel previously advised that the final inventory was mailed to the court for filing on 4/14/08. However, do not see same filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700611

CASE NAME: FRANCES M FECTEAU

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SUSAN P HAAG (PET)...EARLE & REIMER
FRANCES M FECTEAU (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 8/13/07 (full authority, no bond)

Continued from 2/14/08 and 4/17/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory is filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700941

CASE NAME: ADRIANA WEEDA IRREVOCABLE TRUST

HEARING:

Motion re: MOTION TO COMPEL DISTRIBUTION FROM PURPORTED TRUST
filed by Petitioner ADRIANA WEEDA

COUNSEL:

ADRIANA WEEDA	(PET)...	BLUT & CAMPAIN, APC
MIEKE BOSCHMA	(PET)...	RANDOLPH B GODSHALL
HENRIETTA HILT	(OBJ)...	PRO/PER
FLORA BOKMA	(PRO/PER)...PRO/PER

No notes – Judge to decide

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800117

CASE NAME: MTR OF MINNIE BEATRICE GARLAND

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

TINA A GARLAND-MITCHELL (PET)...PRO/PER
MINNIE BEATRICE GARLAND (DEC)...

GENERAL INFORMATION

**Continued from 4/2/08 at request of Court. Copy of will is filed. Matter continued
for legal research to review will and petition.**

THIS CASE IS SET FOR HEARING ON

Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges will waives bond.

RECOMMENDATION

RFA, no bond. If approved, court to set hearing on the filing of the inventory and appraisal
for 12/18/08. Set hearing on accounting review for 7/30/09. Accounting to be filed 30
days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800263

CASE NAME: MARY R. MONTES
SEE ALSO 9
HEARING:
Petition for Letters of Admin. W/ Full Authority under IAEA.

	COUNSEL:
RUBEN S RIVERA	(PET)...PRO/PER
MARY R MONTES	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA filed by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.
4. Question if decedent named in matter 9 is the predeceased spouse of this decedent? File verified supplement.

RECOMMENDATION:

Need to clear notes 2, 3 and 4. If approved, court to set hearing on the filing of the inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/30/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800264

CASE NAME: ELIAZ SOTO RIVERA
SEE ALSO 8

HEARING:
Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:
RUBEN S RIVERA (PET)...PRO/PER
ELIAZ SOTO RIVERA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA filed by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.
4. Question if decedent named in matter 8 is the predeceased spouse of this decedent? File verified supplement.

RECOMMENDATION:

Need to clear notes 2, 3 and 4. If approved, court to set hearing on the filing of the inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/30/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800361

CASE NAME: JESEPHINE CONE TRUST DATED 31 JANUARY 2006

HEARING:
Petition for INSTRUCTIONS FOR TRUST

COUNSEL:
R. DONALD CONE (TEE)...MICHAEL G. PERDUE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Instructions

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the trustee of the Josephine Cone Trust dated 1/31/06. The original settlors, Donald Richard Cone and Josephine Cone, created the Cone Family Trust on or about 1/31/06 and amended the Trust on four separate occasions the last of which changed the dispositive provisions of the Trust which was made 2/28/06. The original settlors died on 3/26/06 and 1/17/08 respectively. The Trust at paragraph 2.1 provides that the Trust upon the death of the settlors becomes irrevocable. Furthermore at paragraph 6.6, the dispositive provisions of the trust are outlined. Petitioner is unsure of the force and effect of the trust amendment of 2/28/06 and the attempts to change the dispositive provisions of the trust contrary to the express provisions of the trust. The trust amendment, in letter form, ratifies that the distribution of the remainder is to be divided equally among trustor's three children and there are not to be any restrictions on the trust distribution to John Cone. Petitioner requests that the court honor the 2/28/06 "amendment" signed by Josephine Cone. Petitioner further proposes an amicable trust distribution of the real properties (see tab).
2. Petitioner alleges that Jack Cone has refused to turn over financial records to petitioner as trustee and as a result, the trustee has been unable to marshal assets of the estate and to provide a proper accounting of the trust.

Petitioner requests that the court order Jack Cone to deliver the financial records of the Trust forthwith. This relief is not set forth in the title of the pleadings as required. Also, need personal service on Jack Cone as this relief appears to fall within the meaning of Pr.C. §850. Alternatively, file verified supplement with points and authorities as to why personal service is not required.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800365

CASE NAME: LOUIS ARMELINO

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:
RICHARD N. LARSEN, PUBLIC ADMI(PET)...HORSPOOL & PARKER
LOUIS ARMELINO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Will
Annexed with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is a exempt government agency – no bond required.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, set hearing on the filing of the inventory and appraisal for 12/23/08. Set hearing on accounting review for 7/28/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800367

CASE NAME: JOHN JOSEPH MCCARTHY

HEARING:
Spousal Property Petition hearing.

COUNSEL:
GWENDOLENE MCCARTHY (PET)...PRO/PER
JOHN JOSEPH MCCARTHY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests determination of property passing to the surviving spouse as community property. Specifically real property in San Bernardino County, Riverside County, Modoc County and acreage in Presidio County, Texas. This court has no jurisdiction over the real property in Texas. Furthermore, petitioner does not set forth facts sufficient to establish a community property interest in the California real properties. When were petitioner and decedent married? How was the property interests acquired – with community funds, etc? File verified supplement.
2. Need to file notice of hearing and proof of service.

RECOMMENDATION:

Need to clear notes.

(gls)

San Bernardino Superior Court
CIVCAL4 San Bernardino District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPASS4939

CASE NAME: ESTATE OF MARTINA VALANCIC

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN,
MARTINA VALANCIC (DEC)...
BRYAN C HATNELL (PET)...HARTNELL HORSPOOL & FOX
WENDY ROOS (PET)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipts are filed.
2. Need to submit final discharge declaration/order.

RECOMMENDATION:

Find out status. If matter continued, calendar matter on a Tuesday (the day PA cases are heard).
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06047

CASE NAME: ESTATE OF WILLIAM FRANKLIN COGDILL

HEARING:

Petition for FINAL DISTRIBUTION AND CLOSING OF THE ESTATE

COUNSEL:

MARJORIE MONZELL COGDILL (PET)...SAMUEL SALMON ESQ

WILLIAM FRANKLIN COGDILL (DEC)...

HARRY J HISTEN (TP)...HARRY J HISTEN

CARMELITA SPALDING (STEVEN C. RICE)...STEVEN C.

BOND SERVICES OF CALIFORNIA ()...

GENERAL INFORMATION:

Continued from 11/5/07 at request of court. No appearance.

Continued from 12/17/07. No appearance. Clerk mailed notice. Nothing new filed.

Last continued from 2/4/08 and 4/3/08. No appearance.

THIS CASE IS SET FOR HEARING ON Petition for final distribution and for closing of estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Administrator requests order closing estate on basis there are no assets. Petitioner does not cite 12251 but basis appears to be the same.
2. Petitioner reports that no assets were inventoried or received and that there is a \$100,000 judgment against the estate that cannot be paid. Petitioner adds that any assets that come into the possession of the estate will be paid to the judgment creditor.
3. Need notice of hearing and proof of service.

RECOMMENDATION

Need notice, then court's discretion. If approved, no future dates need be set as the order submitted confirms the discharge of the administrator.

(/KRA/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06707

CASE NAME: MTR OF EMMA DUNBAR

HEARING:

FIRST AND FINAL Account and Report of KIBIBI STORMS and Petition
for allowance of fees filed.

COUNSEL:

KIBIBI STORMS	(PET)...	SEAVER & GILL
EMMA DUNBAR	(DEC)...	
WILMA J NEZART	(PET)...	
INHERITANCE FUNDING COMPANY IN(TP)...STEVEN D SCHROEDER		

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report on Waiver of Account and
Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Residual beneficiaries waive an accounting.
3. Petitioner requests statutory compensation of \$8,340.00. Ok
4. Attorney requests statutory fees of \$8,340.00. Ok
5. Attorney requests extraordinary fees of \$22,260.00. Billed at \$300/hour for 74.2 hours. Itemized. Attorney's services related to obtaining full value to this estate by requiring adherence to probate policy and practice the surviving co-administrator of the estate of Leoma Duckett. Prior to decedent's death, she was a co-administrator in the estate of her sister, Leoma Duckett. The surviving co-administrator continued the administration of the estate as the sole representative. The attorney assisted petitioner in objections to the sale of real property in the estate of Duckett and objections to the final accounting and ultimate settlements to those objections.
6. Petitioner requests authority to withhold \$5,000 for closing costs, tax preparation and taxes.

7. Petitioner alleges a graduated filing fee of \$71.50 is due. However, no further graduated filing fee is due.
8. Petitioner alleges that the creditor's claim filed by American Contractors Indemnity Company in the sum of \$5,235.29 is being withdrawn. However, need signed withdrawal or proof of payment of such claim.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06753

CASE NAME: ESTATE OF ARNO JORDAN

HEARING:

Petition for FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING -

COUNSEL:

PERRY JORDAN (PET)...PRO/PER
ARNO JORDAN (DEC)...

GENERAL INFORMATION:

Continued from 1/25/07, 3/29/07, 7/12/07, 10/11/07, 11/29/07 and 4/10/08. No appearance on 1/25/07 and court set an OSC re sanctions. On 10/11/07, petitioner's wife called indicating petitioner was unable to get off work. Court issues bench warrant of \$50,000 and holds to this date.

On 2/7/08, the Court orders petitioner to satisfy Victim Compensation claim in the amount of \$198.53. Notice of proposed action is filed. Bench warrant is quashed before issuance of warrant.

THIS CASE IS SET FOR HEARING ON petition for final distribution on waiver of account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Both beneficiaries waive accounting.
2. Petitioner waives compensation.
3. No attorney involved for fees.
4. Estate contains real property to be distributed. Proposed Order must contain addresses of beneficiaries and legal description of property.
5. Need verification for petition.

RECOMMENDATION: Need verification to petition and if approved, court to set hearing on filing receipts and final discharge for 5/28/09.

(/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06845

CASE NAME: ESTATE OF PAULINE LEE PAXTON

HEARING:

Hearing Re: Status/Accounting.

COUNSEL:

BETTY M. YOAKAM	(PET)...	MARY ELLEN DANIELS
PAULINE LEE PAXTON	(DEC)...	
DAVID STEPHENS	(PET)...	HARTNELL LISTER & MOORE
RONALD W. ASK	(TP)...	RONALD W ASK

GENERAL INFORMATION:

At Mandatory Settlement Conference on 3/20/08, a settlement is reached and court orders accountings to be filed by both parties. Cooperation with listing mobile home is required. Statutory fees will be divided by both parties. Attorney Osborn to prepare and submit stipulation.

THIS CASE IS SET FOR HEARING ON Status/Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

Find out status of stipulation and accounting(s).
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06889

CASE NAME: MTR OF RUTH ANN COLEMAN

HEARING:
Hearing re Final Discharge

COUNSEL:
MIASHIA U COLEMAN (PET)...PRO/PER
RUTH ANN COLEMAN (DEC)...

GENERAL INFORMATION:

**Continued from 12/17/07, 2/4/08 and 4/3/08. No appearance. Clerk mailed notice.
Nothing new filed.**

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final accounting and distribution approved on 12/11/06.
2. All receipts filed.
3. Need Ex-parte petition/order for final discharge.

RECOMMENDATION:

Inquire status. When final discharge order is not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. There is no bonding company to notice (/KRA/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06920

CASE NAME: EST OF JONATHAN TRAVIS EMRAY
SEE ALSO 20
HEARING:
Hearing Re: Approval of Creditor's Claim by Personal Rep.

COUNSEL:
GERALDINE F EMRAY (PET)...E. JOAN NELMS
JONATHAN TRAVIS EMRAY (DEC)...
JENNIFER EMRAY (PET)...JAMES B CHURCH
MARJORIE M MICKELS (TP)...PRO/PER

GENERAL INFORMATION **continued from 11/15/07 and 1/24/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Creditor Claim by personal representative

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Claimant/personal representative has filed a claim against the estate in the amount of \$27,550 as a balance due at date of death on a promissory note. The promissory note dated 7/16/98 indicates decedent promised to pay Geraldine Emray the sum of \$53,000.00 and that this sum will be repaid in \$500 monthly payments beginning 1/31/99. Decedent died 1/1/06. Thus, 84 months of payments came due in a total amount of \$42,000.000 paid leaving a balance of \$11,000.00 at date of death. Need amortization schedule to verify date of death balance.

RECOMMENDATION:
Need amortization schedule.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06920

CASE NAME: EST OF JONATHAN TRAVIS EMRAY
SEE ALSO 19
HEARING:
Probate status report filed.

COUNSEL:
GERALDINE F EMRAY (PET)...E. JOAN NELMS
JONATHAN TRAVIS EMRAY (DEC)...
JENNIFER EMRAY (PET)...JAMES B CHURCH
MARJORIE M MICKELS (TP)...PRO/PER

GENERAL INFORMATION:
Letters Testamentary issued 5/30/06 (limited authority, no bond)
Continued from 1/24/08

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges the estate is not in a position to close and petitioner requests an additional year to conclude the estate administration.
2. Notice of Hearing and proof of service is filed, however, notice does not comply with Pr.C. §12201(b). Need proper notice.

RECOMMENDATION:
Need proper notice. If approved, set next accounting review for 5/28/09.
(/gls)

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06993

CASE NAME: ESTATE OF EVELYN FIFER
SEE ALSO 22
HEARING:
Petition for TO DETERMINE HEIRSHIP AND ENTITLEMENT TO ESTATE

COUNSEL:
LATASHA MEDLOCK-JONES (PET)...SANDRA J. SMITH
EVELYN FIFER (DEC)...
JEANETTE STEVENS (PET)...BRYAN C. HARTNELL
BRYAN C HARTNELL (TP)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Heirship and Entitlement to the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is Jeanette Stevens, first cousin twice removed. Petitioner alleges that decedent died without leaving any surviving spouse, issue, parent, brother or sister. Decedent's heirs-at-law are four first cousins, either once or twice removed and proportional shares indicated (documentary proofs are attached). Petitioner requests that the court determine heirship and entitlement to the estate. The following are concerns:
 - (a) Decedent's father, Johnie Gibbs, predeceased. There is no family tree for the paternal side. Question if there are paternal heirs? File verified supplement.
2. Decedent's sister, Marjorie Medlock, shows as predeceasing leaving a surviving husband, Oliver Medlock. Is Oliver Medlock surviving? If so, need notice to Oliver Medlock.

RECOMMENDATION:
Need to clear notes.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06993

CASE NAME: ESTATE OF EVELYN FIFER
SEE ALSO 21

HEARING:

FIRST Account and Report of LATASHA MEDLOCK-JONES and Petition
for allowance of fees filed.

COUNSEL:

LATASHA MEDLOCK-JONES (PET)...SANDRA J. SMITH
EVELYN FIFER (DEC)...
JEANETTE STEVENS (PET)...BRYAN C. HARTNELL
BRYAN C HARTNELL (TP)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION:

Continued from 12/3/07 Amended first report fax filed this date. Counsel states that
property might be sold and a final accounting might be filed.

**Continued from 2/25/08 and 4/21/08 to determine heirs of the estate. Nothing new
filed.**

THIS CASE IS SET FOR HEARING ON **Amended** 1st account current and report of status
of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Hearing re I&A taken off-calendar 2/1/07 as the Final I&A was fax filed the day
prior to the hearing. Court notes that a supplemental I&A is to be filed regarding
a \$16,000 life insurance that was just discovered. No Supplemental I&A filed.
Court may wish to inquire as to the life insurance proceeds. **Counsel has filed
a re-appraisal for sale that is not properly completed. The attorney signed
the portion of the form that must be signed by her client Ms. Medlock-
Jones. The form does not indicate anything about the life insurance
payment. File properly completed re-appraisal for sale.**
2. Need copies of bank/investment statements to verify date of death balance on
the inventory & appraisal per local rule 20-908.

3. Proof of service filed. However, service is as to “supplement to the First Accounting”. As this is an Amended Accounting, need notice of hearing and proof of proper service.
4. Accounting period covers 1/30/07 – 9/30/07. The probate petition was granted 6/23/06. Question why this first accounting begins 7 months after the order granting appointment. Need verified supplement.
5. Need bank/investment statements verifying balance of cash on hand at the end of the account period per local rule 20-908.
6. Need detailed schedules showing receipts: the source of the receipts and date thereof per Pr.C.§1062(a). File verified supplement.
7. Disbursements show two payments for insurance in the amount of \$1,828.50 each. Question what the purpose of this insurance is as disbursements show additional payments for home owners insurance. Need verified supplement.
8. Petitioner does not state the reasons why the estate cannot be distributed, and estimate of time needed to close administration of the estate (Pr.C.§12201(a)).

RECOMMENDATION:

Need to clear notes re Inventory and Appraisal and accounting. Also need determination of heirship prior to approval of this petition.

(/KRA/NMT/kra/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07075

CASE NAME: EST OF LEAMON LANG

HEARING:
Accounting Review

COUNSEL:
LORELEI CORNELL (PET)...DAVID CHASE
LEAMON LANG (DEC)...

GENERAL INFORMATION:

Order Appointing Administrator issued 3/15/07 (limited authority, \$20,000 bond). Bond was posted on 2/6/08, however, Letters of Administration have not issued (Letters are on side of file)

THIS CASE IS SET FOR HEARING ON Accounting Review/Status report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed. Court may wish to continue this matter to have letters issue.

RECOMMENDATION:

Continue matter to 6/16/08 to trail inventory date.
(gls)

Future dates: 6/16/08-Inventory and Appraisal

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH CONSERVATORSHIPS

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700149

CASE NAME: MTR OF NESTOR GIOVANNI ROMERO

HEARING:
Hearing Re: Care Plan.

COUNSEL:
JESUS ALFREDO ROMERO (CP)...PRO/PER
MARIA ISABEL ESPIRITU (CP)...PRO/PER
NESTOR GIOVANNI ROMERO (CTP)...WALTER MOORE

GENERAL INFORMATION:
Letters of Conservatorship (person only) issued 8/23/07

THIS CASE IS SET FOR HEARING ON Care Plan

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. Care Plan is filed. However, verification is not dated. Need same.
2. Supplemental Court Investigator's report is filed (tabbed).

RECOMMENDATION:
Court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01417

CASE NAME: MATTER OF EDITHE M BLANKENSHIP

HEARING:
Accounting Review

COUNSEL:

WILLIAM F BLANKENSHIP (CPE)...THOMPSON & COLEGATE
EDITHE M. BLANKENSHIP (CEP)...PRO/PER
WILLIAM BLANKENSHIP SR (SC)...PRO/PER
WILLIAM F. BLANKENSHIP JR (SC)...PRO/PER
ROBERT B. SWORTWOOD (TP)...THOMPSON & COLEGATE LLP

GENERAL INFORMATION:

Continued from 3/12/07. Petitioner advises that conservatee has died. Court continues matter for petitioner to file a 2nd & final account and petition for final discharge. Nothing new filed

Continued from 7-23-07. Nothing new filed.

Continued from 10-2-07. Nothing new filed.

Continued from 11/20/07 at request of counsel. Nothing new filed.

Last continued from 1/24/08 and 4/3/08. No appearance and nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need 2nd & Final Account for the period 7/9/03 – present date.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as set forth in Pr.C. §2620.2. There is no bonding company to notice.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01505

CASE NAME: MATTER OF VANESSA N JONES

HEARING:

EIGHTH Account and Report of LINDA P HELSPER and Petition for
allowance of fees filed.

COUNSEL:

LINDA P HELSPER	(CPE)...	WALTER T. MOORE
VANESSA N JONES	(CEP)...	
COURT INVESTIGATOR	(AGN)...	PRO/PER

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01675

CASE NAME: MTR OF LARRY R. VANCE

HEARING:
Accounting Review

COUNSEL:
MICHAEL ARNOLD (CE)...MICHAEL S. ARNOLD
LARRY R. VANCE (CTE)...

GENERAL INFORMATION:

Accounting/Waiver of Accounting is due for the period 2/1/06 – 1/31/08

Continued from 2/14/08 and 4/3/08. No appearance and nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting/waiver of accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. No bonding company to notice.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01969

CASE NAME: MTR OF ARTHUR E. FURTADO

HEARING:

Hearing Re: Proof of posting of additional bond.

COUNSEL:

DORMA LEE MC CASLAND (CPE)...KERRIE C JUSTICE
ARTHUR E. FURTADO (CEP)...SHERRI L KASTILAHN
BOND SERVICES OF CALIFORNIA LL(TP)...

GENERAL INFORMATION:

On Order Approving Third Account, the court ordered additional bond of \$48,500 and set this review date

THIS CASE IS SET FOR HEARING ON Proof of posting additional bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Total bond is fixed at \$434,000. Need to post bond.

RECOMMENDATION:

Find out status.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02605

CASE NAME: MTTR OF ROBERT V GOMILLION

HEARING:
Accounting Review

COUNSEL:
STEPHANIE D CONTRERAS (CPE)...HARTNELL LISTER & MOORE
ROBERT V GOMILLION (CEP)...
BOND SERVICES OF CALIFORNIA, L(TP)...PRO/PER

GENERAL INFORMATION:

2nd Account due for the period: 3/2/05 – 2/1/07

continued from 1/17/08 and 4/3/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No Accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bond company.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02673

CASE NAME: MTR OF ROBERT M ANDREWS

HEARING:

THIRD Account and Report of LAWRENCE A DEAN II and Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II (CPE)...HARTNELL, HORSPOOL & FOX
ROBERT M ANDREWS (CEP)...FRANK J PRAINITO

GENERAL INFORMATION:

Accounting covers period: 1/1/07 – 12/31/07

Assets on hand: \$112,869.10 (cash)

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$5,458.45. Billed at various rates for various services not exceeding \$105/hour for a total of 99.30 hours. Itemized. JTD
2. Attorney requests fees of \$2,002.50. Billed at \$225/hour for 8.9 hours. Itemized
3. Petitioner requests bond be reduced to \$145,000 (a reduction of \$15,000). Appears adequate.
4. Petitioner has not used the mandatory Judicial Council form Summary of Account (GC-400/405). Also, disbursements are categorized, but do not include the actual check numbers as required. Court may wish to direct petitioner to use the mandatory forms for the next accounting period.
5. Need to file notice of hearing and proof of service.

RECOMMENDATION:

Need notice and then court's discretion re fees and bond reduction. If approved, set next accounting review for 5/27/10. Accounting to be filed 30 days in advance.

(gls)

Superior Court of Calif, County of San Bernardino

Page: 30

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03086

CASE NAME: MTR RE JOAN A ABRAMOFF

HEARING:

Petition for FOR AUTHORITY TO SELL RESIDENCE

COUNSEL:

DIANE D HARKISON	(CPE)...M DANIEL SAYLOR
JOAN A ABRAMOFF	(CEP)...
LINDA SUE MARTIN	(OBJ)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Authority to Sell Conservatee's Residence

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need notice of hearing and proof of service.
2. Petitioner requests authority to sell conservatee's residence at 1386 Tourmaline Avenue, Mentone, CA, as conservatee will be unable to return to her home for medical reasons. In addition, the home is subject to a reverse mortgage and cash is needed to maintain conservatee's care at the skilled nursing facility. Petitioner further alleges the conservatee does not understand the need to sell the residence.
3. Court may wish to appoint counsel for conservatee.

RECOMMENDATION:

Need notice. Court may wish to appoint counsel for conservatee.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:30 DEPT: E1

CASE #: SC SS8657

CASE NAME: IN THE MATTER OF WILLIAM SHAWN LIVINGSTON

HEARING:

EIGHTH Account and Report of CLIFF A LIVINGSTON and Petition for allowance of fees filed.

COUNSEL:

WILLIAM SHAWN LIVINGSTON (CEP)...ROBERT H MOORE
LAVERN CONKLE (CPE)...J. DAVID HORSPOOL
CLIFF A LIVINGSTON (SC)...PRO/PER

GENERAL INFORMATION:

Report covers period: 11/1/04 – 1/31/07

THIS CASE IS SET FOR HEARING ON Eighth Report Current on Waiver of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner alleges the estate meets the requirements of Pr.C. §2628 and thus, an accounting can be waived.
3. Petitioner waives fees for his services as conservator.
4. Attorney makes no request for fees.
5. Petitioner requests that the Court Investigator's fee be waived as the estate is so small.

RECOMMENDATION:

Need notice and then court's discretion. If approved, set next accounting review for 5/27/10.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/22/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02714

CASE NAME: MATTER OF WENDY EDER

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONAL CENTE(CE)...BRUNICK MCELHANEY & BECKETT
WENDY EDER (CTE)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:
2nd Account is due for the period 12/1/05 – 12/31/07

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH MISC.

DATE: 05/22/08 TIME: 1:30 DEPT: E1

CASE #: VPRVS003050

CASE NAME: ESTATE OF WILLIAM EARL GARRETT

HEARING:

Court Trial -- Estimated trial length *** hrs.

COUNSEL:

BRANDI L LAHARA (PET)...ROBERT L KERN
WILLIAM EARL GARRETT (DEC)...
DARRYL FREEMAN (PET)...TREMAIN & HOFFMAN, LLP
W.A. HLAVATY (PET)...MAUREEN MURATORE
THOMAS W DOMINICK (TP)...THOMAS W DOMINICK

No notes – Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN PROBATE

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701148

CASE NAME: JOHN R. LIVACICH
SEE ALSO 2

HEARING:

Hearing Re: WILL CONTEST AND GROUNDS OF OPPOSITION.

COUNSEL:

LORRAINE C LIVACICH (PET)...ROY A BARRY
JOHN R LIVACICH (DEC)...
LORI ANN LIVACICH (PET)...RAIMUND FREIHUBE, ESQ.
JOSEPH ANTICEVICH (OBJ)...RAIMUND FREIHUBE, ESQ.
CATHERINE CATSOURAS (RAIMUND FREIHUBE, ESQ.)...RAIMUND F
LORI ANN LIVACICH (DAVID G JIMENEZ)...DAVID G J
STATE OF CALIFORNIA FRANCHISE (PRO/PER)...PRO/PER

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701148

CASE NAME: JOHN R. LIVACICH
SEE ALSO 1

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

LORRAINE C LIVACICH (PET)...ROY A BARRY
JOHN R LIVACICH (DEC)...
LORI ANN LIVACICH (PET)...RAIMUND FREIHUBE, ESQ.
JOSEPH ANTICEVICH (OBJ)...RAIMUND FREIHUBE, ESQ.
CATHERINE CATSOURAS (RAIMUND FREIHUBE, ESQ.)...RAIMUND F
LORI ANN LIVACICH (DAVID G JIMENEZ)...DAVID G J
STATE OF CALIFORNIA FRANCHISE (PRO/PER)...PRO/PER

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800350

CASE NAME: NORMA CHARLOTTE HOOVER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

MARY K. UNDERWOOD (PET)...JOHN G WURM
NORMA CHARLOTTE HOOVER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will with full authority
under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual beneficiaries have waived bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, set hearing on the filing of the inventory and appraisal for 12/18/08. Set hearing on accounting review for 7/30/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800362

CASE NAME: THE GUSS ALBERT SCARZO FAMILY TRUST

HEARING:
Petition for TO TRANSFER PROPERTY INTO LIVING TRUST

COUNSEL:
CHRISTOPHER SCARZO (TEE)...SUZANNE M GRAVES

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Transfer Property into Living Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the son and trustee of the Guss Albert Scarzo Family Trust dated 2/11/03 and amended 2/15/07. The original trustor died on 2/5/08. Petitioner alleges that the trustor failed to transfer certain assets into his trust prior to his death. Specifically three investment accounts, one of which the trustor had filled out a directive but failed to mail it to the investment holder prior to death. Petitioner requests that these accounts be considered trust assets under Estate of Heggstad (1993) 16 Cal. App. 4th 943.
2. Need notice of hearing and proof of service to Paul V. Scarzo and Jimmy Cahill.

RECOMMENDATION:
Need notice and then court's discretion.
(glS)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800388

CASE NAME: the freddie w popejoy and patricia a popejoy trust

HEARING:
Petition for TO APPOINT SUCCESSOR TRUSTEE

COUNSEL:
JONATHAN POPEJOY (PET)...WELCH DACRE & ASSOCIATES, P.C.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Appoint Successor Trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner is a beneficiary of the Freddie W. Popejoy and Patricia A. Popejoy Revocable Living Trust dated 11/15/89. The original trustors died on 1/20/00 and 4/19/06 respectively. Petitioner alleges that Bank of America, successor to Security Pacific Bank, has refused to serve as trustee of the trust. Petitioner requests that he be appointed successor trustee of the trust without bond per Section 10.3 of the trust. Need to file copy of trust per local rule 20-1502.
3. Petitioner alleges a declination to act by Bank of America is attached as Exhibit "B". No Exhibit "B" is affixed.

RECOMMENDATION:
Need to clear notes.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS05368

CASE NAME: EST OF JAMES J LIPKE

HEARING:
Hearing Re: Receipts and Final Discharge.

	COUNSEL:
DEBRA A LIPKE	(PET)...PRO/PER
JAMES J LIPKE	(DEC)...
CINDY M RAZZETTI	(SA)...BRYAN C. HARTNELL
LOUIE H ARMENTA	(TP)...DAVID G CURRIE
JOHN F WALLACE	(PAUL H LUSBY)...PAUL H LU
MICHAEL A LIPKE	()...
DAVID LIPKE	()...

GENERAL INFORMATION:
Order for Final Distribution granted 5/17/07

THIS CASE IS SET FOR HEARING ON filing Receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge declaration is filed.

RECOMMENDATION:
Find out status.
(gls)

STORAGE FILE

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06180

CASE NAME: ESTATE OF LESTER MOTEN
SEE ALSO 7

HEARING:
Hearing re Final Discharge

COUNSEL:
LOUIS MOTEN (PET)...PRO/PER
JOYCE MARIE MACDANIELS (PET)...PRO/PER
LESTER MOTEN (DEC)...

No file available for review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06181

CASE NAME: ESTATE OF BESSIE MOTEN
SEE ALSO 6

HEARING:
Hearing re Final Discharge

COUNSEL:
LOUIS MOTEN (PET)...PRO/PER
JOYCE MARIE MACDANIELS (PET)...PRO/PER
BESSIE MOTEN (DEC)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06894

CASE NAME: MTR OF JESSIE G DORADO

HEARING:

FIRST AND FINAL Account and Report of ALFRED G DORADO JR and
Petition for allowance of fees filed.

COUNSEL:

ALFRED G DORADO JR (PET)...JAMES B CHURCH & ASSOCIATES
JESSIE G DORADO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner requests statutory compensation of \$8,200. Ok.
3. Attorney requests statutory fees of \$8,200. Ok.
4. Attorney requests reimbursement of costs of \$1,023. Itemized. Ok.
5. Petitioner alleges the creditor's claim from LVNV Funding LLC was rejected on the basis of the date of filing the claim. The claim was filed 12/6/06 (Letters Testamentary issued 3/10/06). Question when the rejection was given? Need to file copy of the Rejection of Creditor's Claim.
6. Petitioner took a loan against the estate real property of \$65,000 without Notice of Proposed Action. However, petitioner alleges all persons entitled to notice were present at a meeting to discuss the need to take a loan to pay for administration expenses. The real property remains for sale but the property will be distributed in kind.
7. Petitioner requests authority to withhold \$5,000 as a reserve for closing costs. Ok.

RECOMMENDATION: Need to clear notes 1 and 5. If approved, court to set hearing on filing receipts and final discharge for 5/28/09.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07242

CASE NAME: ESTATE OF GARY JOHN BOVEE

HEARING:
Accounting Review

COUNSEL:
LORRI BOVEE (PET)...MARY ELLEN DANIELS
GARY JOHN BOVEE (DEC)...

GENERAL INFORMATION:

Continued from 1/17/08. No appearance.

Last continued from 3/17/08 at request of counsel to get bank statements. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 11/13/06 (full authority, no bond)
2. No accounting or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(/gls/kra/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN CONSERVATORSHIPS

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700058

CASE NAME: ROBERT ALLEN ROGERS II

HEARING:
Hearing Re: Status.

COUNSEL:
ROBERT A ROGERS (PET)...MARK CEDERBORG
BETTY I ROGERS (PET)...
ROBERT ALLEN ROGERS II (PCE)...

GENERAL INFORMATION:

This case was transferred from Contra Costa County on 12/19/06 and this status review was set.

Continued from 5/24/07. No appearance and court orders counsel and his client to be present at next hearing.

Continued from 6/28/07. Court refers matter to Court Investigator for investigation and report.

Last continued from 8/23/07. No appearance. Notice was given by clerk.

THIS CASE IS SET FOR HEARING ON OSC re sanctions for failure to appear on Status

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners were appointed co-conservators of the person only on 2/15/1979. It appears that the conservatee is 51 years of age and resides in Ontario, CA.
2. Court Investigator's report filed 7/30/07

RECOMMENDATION:

None.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700076

CASE NAME: JOSHUA O QUIEL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JORGE O QUIEL	(CP)...JOHN L WELCH
GLADYS M QUIEL	(CP)...JOHN L WELCH
JOSHUA O QUIEL	(CTP)...C.L. FARRELL

GENERAL INFORMATION:

Continued from 4/17/08. Attorney Farrell objects to the inventory. The Court finds the inventory insufficient and orders counsel for petitioner to file an amended Inventory.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory filed 3/18/08 is insufficient. Personal property items are an Attachment No. 2 item which must be valued by the probate referee. Need corrected Inventory.
2. Need to file proof of service on Notice of How to Object to Inventory per Pr.C. §2610.
3. No formal objections are filed by Attorney Farrell.

RECOMMENDATION:

Find out status of corrected Inventory.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700078

CASE NAME: MTR OF BRANDON JOEL WIJNHAMER

HEARING:

Hearing Re: CONSERVATORSHIP COMPLIANCE REVIEW.

COUNSEL:

JAMES WIJNHAMER (CP)...DIXIE J ALLISON
SHELLEY WIJNHAMER (CP)...DIXIE J ALLISON
BRANDON JOEL WIJNHAMER (CTP)...DIANA CARLONI NOURSE

GENERAL INFORMATION:

Letters of Conservatorship (person only) issued 10/24/07

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Care Plan is filed and tabbed. Conservatee receives services from Inland Regional Center.
2. Need supplemental Court Investigator's report per Pr.C. §1850.

RECOMMENDATION:

Need supplemental Court Investigator's report.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700202

CASE NAME: MTR OF SHARELL A PARAMO
SEE ALSO 14

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LINDA J PARAMO

COUNSEL:

LINDA J PARAMO (CPE)...WALTER T MOORE
SHARELL A PARAMO (CEP)...MARK A FLORY
INLAND COUNTIES REGIONAL CENTE(AGN)...PRO/PER

GENERAL INFORMATION:

Letters of Conservatorship of the person and estate granted on 11-29-07

Continued from 2/28/08 and 4/17/08. Attorney Moore substituted as attorney for petitioner. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review Hearing

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

- 1 The order appointing probate conservator required that the conservatorship funds are to be placed in a blocked account. However, no proof of blocked account filed. Court may wish to set OSC re proof of blocked account.
- 2 Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
- 3 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 4 Need Inventory & Appraisal per Pr.C.§2610.
- 5 Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 6 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property

is located or where conservatee has security interest in real property
per Pr.C. §2313.

RECOMMENDATIONS:

Need to clear notes. Court may also wish to set OSC re proof of blocked account, as well as 6-month CI review.

(vet/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700202

CASE NAME: MTR OF SHARELL A PARAMO
SEE ALSO 13
HEARING:
Hearing Re: PROOF OF BLOCKED ACCOUNT/6 MONTH REVIEW.

COUNSEL:
LINDA J PARAMO (CPE)...WALTER T MOORE
SHARELL A PARAMO (CEP)...MARK A FLORY
INLAND COUNTIES REGIONAL CENTE(AGN)...PRO/PER

See prior notes (matter 13)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800100

CASE NAME: IDA L. GALLAGHER

HEARING:
Petition for Appointment of Conservator

COUNSEL:
CAROL LUE GALLAGHER KUHN (PCR)...HARTNELL, LISTER & MOORE
IDA L. GALLAGHER (PCE)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS01438

CASE NAME: MATTER OF GARLAND WALLER

HEARING:

EIGHTH Account and Report of LAWRENCE A. DEAN II and Petition
for allowance of fees filed.

COUNSEL:

GARLAND WALLER	(CTE)...ANNETTE G DE BELLEFEUILLE
LAWRENCE A. DEAN II	(PET)...J. DAVID HORSPOOL
ANNE L CHAVIS	(TP)...C. BRIAN SMITH

GENERAL INFORMATION:

Accounting covers period: 1/1/07 – 12/31/07

Assets on hand: \$30,971.02 (cash)

THIS CASE IS SET FOR HEARING ON Eighth Account Current and Petition for
Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$6,551.30, of which \$2,400 has been paid in court-ordered periodic payments, leaving a balance of \$4,151.30. Billed at various rates for various services not exceeding \$105/hour for a total of 114.62 hours. Itemized. Petitioner's request for fees has almost doubled from the prior accounting period. One of the considering factors is petitioner's fee increase to \$105/hour from \$85/hour. Another is conservatee's behavior and missing from board & care and efforts to locate conservatee. JTD
2. Attorney requests fees of \$810.00. Billed at \$275/hour for attorney time and \$100/hour for paralegal time for a total of 4.6 hours. Itemized. JTD
3. Petitioner alleges the conservatee has moved to Oklahoma to be closer to family members. Petitioner requests that the conservatorship of the person be terminated. Petitioner is still the Federal payee for the VA benefits as a successor has not been located. Petitioner alleges he will continue to

account as conservator of the estate. Question whether sister is obtaining a conservatorship and/or applying as the Federal payee for conservatee's benefits? File verified supplement.

4. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
5. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(4).
6. Petitioner's bond is currently fixed at \$50,000 which petitioner alleges is sufficient. However, with the current balance of cash on hand, estimated annual income and bond recovery costs, giving credit for fees requested above, bond should be increased to \$60,000. JTD

RECOMMENDATION:

Need to clear notes 3-5. Court's discretion re bond increase. If approved, set next accounting review for 5/27/10. However, should court determine the conservatorship of the estate should also be terminated an accounting review for the 9th & Final Accounting should be set for an earlier date (suggest 90 days). Accounting to be filed 30 days in advance.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS01938

CASE NAME: MTR RE JENNIFER LISA REECE

HEARING:

SECOND Account and Report of INLAND COUNTIES REGIONAL CENTER INC
and Petition for allowance of fees filed.

COUNSEL:

DEBORAH A HAYNES (CPE)...JOHN M HUGHES
SUSAN CRAMTON JOHNSON (CPE)...JOHN M HUGHES
JENNIFER LISA REECE (CEP)...ROBERT S WORLEY
INLAND COUNTIES REGIONAL CENTE(TEE)...BRUNICK MCELHANEY &
BECKETT

GENERAL INFORMATION:

Accounting covers period: 10/1/06 – 12/31/07

Assets on hand: \$53,630.58 (\$140.06 in personal property and the balance in cash)

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for
Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests approval of fees already taken by Master Trust in the amount of \$1,380.90. Charged at an annual fee of 2% of the trust assets in quarterly trustee's fees. Generally itemized. JTD
2. Attorney requests fees of \$1,225.00. Billed at \$125/hour for attorney's fees and \$75/hour for paralegal time for a total of 13 hours. Itemized. JTD
3. The accounting is a simplified accounting. However, the mandatory Judicial Council forms (GC-400/405 et seq) for a simplified accounting are not used. Does court wish to require amended accounting? Alternatively, court may wish to instruct petitioner to use the mandatory forms on future accountings. JTD

RECOMMENDATION:

Court's discretion. If approved, set next accounting review for 5/28/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02088

CASE NAME: MTR RE JESSIE R ORTIZ

HEARING:
Accounting Review

	COUNSEL:
PHYLLIS R CRUZ	(CPE)...PRO/PER
JESSIE R ORTIZ	(CEP)...ELISABETH KEMPE-OLINGER
MARIE PIERCE	(PET)...PRO/PER
JOSIE ROQUE	(SC)...
CARLOS ORTIZ	(OBJ)...MICHAEL J TORCHIA

GENERAL INFORMATION:
Accounting/Waiver of Accounting due for the period 3/9/07 – 3/8/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

STORAGE FILE

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02332

CASE NAME: MATTER OF CARMEN GRAZIADEI

HEARING:

THIRD AND FINAL Account and Report of MARGIE NERYS, THOMAS NERYS
and Petition for allowance of fees filed.

COUNSEL:

MARGIE NERYS	(CPE)...HARTNELL LISTER & MOORE
THOMAS NERYS	(CPE)...HARTNELL LISTER & MOORE
CARMEN GRAZIADEI	(CEP)...
PUBLIC GUARDIAN	(SC)...COUNTY COUNSEL

GENERAL INFORMATION:

Accounting covers period: 1/31/06 – 9/7/07

Assets on hand: \$162,133.34 (cash)

The conservatee died on 9/7/07

THIS CASE IS SET FOR HEARING ON Third and Final Account and Petition for
Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners waive their fees for services herein.
2. Attorney requests fees of \$4,959.50. Billed at \$275-\$295/hour for attorney time and \$25-\$125/hour for paralegal time. Itemized. Need qualifications for Rodrigo Ruiz and Christopher Hardman who are charged at \$25/hour per CRC 7.703; 7.754. File verified supplement.
3. Petitioner alleges that prior to conservatee's death, a Trust was established and conservatee's residence was funded into the trust. However, petitioner alleges that all of the accounts of conservatee were in joint tenancy with co-conservator, Margie Nerys. The funds, although placed in conservatorship accounts, were allowed to retain their vesting character and should be distributed to Margie Nerys. Mrs. Nerys is also the sole residual beneficiary of the Trust and Will.

4. The mandatory Judicial Council Summary of Account form is not used (GC-400/405). Does court wish to require corrected Summary of Account? JTD
5. Need board and care facility statement per Pr.C. §2620(c)(4).
6. On disbursements on 12/19/06 there is a payment to "Arrowhead" for \$718.00. Question the purpose of this expense? File verified supplement.
7. On disbursements on 1/23/07, there is a notation "Check No. 2325 - \$134.21" without naming a payee or purpose of the expense. File verified supplement.

RECOMMENDATION:

Need to clear notes 5-7. If approved, court to set hearing on filing receipts and final discharge for 5/28/09.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02702

CASE NAME: MTR RE JUNE CASEY
SEE ALSO 20A 21
HEARING:
Hearing Re: Surcharge.

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
JUNE CASEY (CEP)...MARK J. A. FLORY
RICHARD SIMUN (CPE)...JEFFREY T. VANDERVEEN
AMERICAN CONTRACTORS INDEMNITY(TP)...LANAK & HANNA

GENERAL INFORMATIO:

Continued from 11/19/07. Attorney Church indicates to the court that a conflict may exist due to attorney Vanderveen representing the previous and current conservator as the prior conservator as been removed and surcharges are being pursued. Attorney Vanderveen indicates that he will advise Mr. Simun to hire new counsel. Court orders the bonding company notified regarding the possible surcharge. Attorney Vanderveen states he will give notice to the bonding company.

Continued from 01/28/08 and 3/24/08. Court notes that Conservatee passed away on 11/27/07. Court orders Richard Simun to personally appear at next hearing. Nothing new filed.

THIS CASE IS SET FOR HEARING ON OSC re surcharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion when notes were not corrected at the time set for hearing re 2nd & Final Account of conservator (Jennifer Wenger) on 8/13/07.

RECOMMENDATION:

Court's discretion.

See notes on following pages (matters #20A & 21)
(/KRA/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02702

CASE NAME: MTR RE JUNE CASEY
SEE ALSO 20 21

HEARING:

Hearing Re: SETTING ASIDE 1ST ACCTING OF JENNIFER WENGER.

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
JUNE CASEY (CEP)...MARK J. A. FLORY
RICHARD SIMUN (CPE)...JEFFREY T. VANDERVEEN
AMERICAN CONTRACTORS INDEMNITY(TP)...LANAK & HANNA

See notes on following page (page 21)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02702

CASE NAME: MTR RE JUNE CASEY
SEE ALSO 20 20A

HEARING:

SECOND AND FINAL Account and Report of JENNIFER WENGER and
Petition for allowance of fees filed.

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
JUNE CASEY (CEP)...MARK J. A. FLORY
RICHARD SIMUN (CPE)...JEFFREY T. VANDERVEEN
AMERICAN CONTRACTORS INDEMNITY(TP)...LANAK & HANNA

**NOTE: WE HAVE RECEIVED NOTICE THAT Conservatee DIED ON 11-25-07.
(Copy of the death certificate filed.)**

GENERAL INFORMATION:

Current conservator was removed on 5/25/06.

Accounting covers period 7/31/05 – 4/21/06

Assets on hand: \$43,281.11 (all cash)

Continued from 10/23/06 and 12/18/06 at request of counsel. Bond of \$45,000 filed.

Continued from 2/1/07. Court ordered Attorney Vanderveen to direct successor trustee Richard Simun to attempt to retrieve bank statements through the period of the second accounting. Nothing new filed.

Continued from 4/5/07 as counsel has not received bank statements from BofA.

Continued from 5/21/07 at request of attorney Vanderveen – still getting bank records.

Continued from 8/13/07 Court sets aside order on 1st account and report of Jennifer Wenger of 1/9/06. Court informs counsel that it will need the tax returns from 2003-2006 and the police report referenced in note 3 re scams. Nothing new filed.

Continued from 11/19/07. Court authorizes Attorney Flory to obtain the bank records for his client June Casey. Court sets hearing re setting aside 1st accounting of Jennifer Wenger.

Continued from 01/28/08 court finds that it appears that there was Social Security income that was not reported in the 1st accounting. Court orders Richard Simun to personally appear at the next hearing. Nothing new filed.

Last continued from 3/24/08. Bank statements and tax returns filed. Attorney Vanderveen to provide copies to Attorney Flory and Cook. Court directs Attorney Flory to file status statement and amount of fees incurred to determine what Ms. Wenger did with funds. Richard Simun ordered to personally appear unless all pending matters are resolved.

THIS CASE IS SET FOR HEARING ON

- 2nd & Final Account and Petition for Fees and for discharge (Jennifer Wenger)
- Setting Aside 1st Accounting of Jennifer Wenger

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Second & Final Account covers period: 7/31/05 – 4/21/06
2. Petitioner requests fees of \$2,645.50, of which petitioner has received \$2,700 in monthly periodic payments per court order of 1/9/06. Billed at \$55/hour for 48.1 hours. Petitioner alleges that petitioner will re-pay the conservatorship estate \$54.50 as overpayment of fees.
3. Attorney requests fees of \$1,168.75. Billed at \$275/hour for 3.25 hours. Attorney also requests reimbursement of costs of \$2.34 for postage. This cost is a non-reimbursable cost per local rule 1406(f) as these are considered overhead.
4. Petitioner alleges that prior to the conservatorship, the conservatee sold her home and spent in excess of \$200,000 profit on scams perpetrated on her, including the theft/loss of proceeds from sale of house and sale of securities. Petitioner is working with local law enforcement to recover these funds (which is unlikely). Please file copy(ies) of police report. Question the status of this claim? File verified supplement.
5. The 1998 Toyota vehicle was sold during this accounting period for \$3,000. Do not see this sum deposited in the bank account in the statements provided for the second accounting. Question where the sales proceeds were deposited? File verified supplement.
6. Petitioner has also worked with Internal Revenue Service to forgive a \$20,000 debt, as well as with other creditors to forgive debts, due to her situation. Court should require copies of all annual tax returns starting with 2003 tax return. **Copies of tax returns submitted. All tax returns from 2002-2007 were filed by Reiss Jackson & Company on or after 3/13/08. Question whether there are any additional interest/penalties imposed by IRS or FTB for late filings for which Jennifer Wenger would be liable? File verified supplement.**
7. **As to 2nd Accounting, copies of bank statements are filed and after review, the following are inquiries which require verified supplement:**
 - (a) **On 9/13/05 check # 128 is cleared for \$2,500 but not included on the disbursement schedule. Who was the payee and for what purpose is this check?**
 - (b) **On 9/14/05 check #127 is cleared for \$3,500. Who was the payee and for what purpose is this check?**

- (c) On 10/6/07 there is a deposit of \$6,000 excluded from the receipts schedule. It would appear to cover the checks written on 9/13/05 and 9/14/05.
 - (d) On 11/17/05 there is a deposit of \$3,000 excluded from receipts. Question this deposit?
 - (e) On 11/21/05 check #114 is cleared for \$10,400. Who was the payee and for what purpose is this check?
 - (f) On 12/5/05, a deposit of \$10,400 was made, but said deposit was returned and debited conservatee's account for \$10,405.
 - (g) On 12/5/05 check #117 cleared for \$1,200. Who was the payee and for what purpose is this check?
 - (h) On 2/2/06 check #118 is cleared for \$3,500. Who was the payee and for what purpose is this check?
 - (i) On 2/3/06 check #119 cleared for \$7,000. Who was the payee and for what purpose is this check?
 - (j) On 3/6/06 check #121 cleared for \$4,000. Who was the payee and for what purpose is this check?
 - (k) On 3/9/06 check #122 cleared for \$168. Who was the payee and for what purpose is this check.
 - (l) On 3/13/06 a deposit of \$25,068 was made but excluded from the receipt schedule.
 - (m) In review, the total sum of \$26,268 was withdrawn without itemization or explanation. The sum of \$25,068 was returned leaving a discrepancy of \$1,200 unaccounted for.
8. Objections to Second and Final Account filed by conservatee (via appointed counsel) 6/19/07. Page 3 of the Objection is missing in the court's file. Please file complete Objections. **As conservatee has died, question if appointed counsel will continue to pursue conservatee's interest.**
9. Court Investigator report dated 10/17/07 filed.

Setting Aside 1st Accounting:

10. First account and report of Jennifer Wenger was approved on 1/9/06. The court has discretion to set aside the order per Pr.C. §2103(b) where the Judgment was obtained by misrepresentation contained in the petition or account. The first account was for the period 8/20/04-7/30/05. It appears that there are social security and retirement income that may be omitted for the period 8/20/04-2/9/05. Court may wish to set aside Judgment and require bank statements for the entire period of accounting (8/20/04-7/30/05) and set a review date for compliance. **Copies of tax returns filed. From a review, it appears the following amounts are in discrepancy:**
- (a) **Social Security for 2004 (9/1/04-12/31/04) should have been equal to \$1,170/month, totaling \$4,680.00.**
 - (b) **PERS Retirement for 2004 should have been equal to \$2,103.60/month, totaling \$8,414.40**
 - (c) **Nationwide Retirement Solutions for 2004 should have been equal to \$215.18/month, totaling approximately \$860.72.**

- (d) **Social Security for 2005 (1/1/05–7/30/05) should have been equal to \$1,170/month, totaling \$8,190.00.**
 - (e) **PERS Retirement for 2005 should have been equal to \$2,103.60/month, totaling \$14,725.20**
 - (f) **Nationwide Retirement Solutions for 2005 is equal to \$1,726.12.**
 - (g) **In review, receipts for the accounting period 8/20/04 – 7/30/05 should have been equal to \$40,320.56 and only \$22,644.90 is accounted for which is a discrepancy of \$17,675.66.**
 - (h) **It would appear there is missing the total amount of \$18,875.66 from the conservatorship funds without explanation. File verified supplement re discrepancy.**
- 11. Inventory is filed with a starting bank balance of \$19,000. However, there is no supporting bank statement to verify this balance. Need copy of bank statement(s).**

RECOMMENDATION:

Need to clear notes. Court may wish to set aside Order Settling First Account and set OSC re sanctions/surcharge. Clerk to notice bonding company. Set Second and Final Account for contested hearing.

(/KRA/cbr/gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 10:30 DEPT: E2

CASE #: SC SS03026

CASE NAME: MTR OF WANDA LEIGH HOLDERBY

HEARING:

FIRST AND FINAL Account and Report of MICHAEL SHAWN TAFT and
Petition for allowance of fees filed.

COUNSEL:

MICHAEL SHAWN TAFT (CPE)...PRO/PER
WANDA LEIGH HOLDERBY (CEP)...
PUBLIC GUARDIAN (SC)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from 5/24/07. Court orders Michael Taft to file supplemental accounting. If no accounting is completed, court will impose a surcharge in the amount of \$199,742.42. Last continued from 8/23/07. Court finds that the conservatee died on 5/22/07. Citation issued to Michael Taft and court orders notice to the Public Administrator re possible appointment.

Continued from 10/18/07 Attorney Runyan reports on unsuccessful attempts to serve Michael Taft. Court issues another citation re Surcharge on Michael Taft. Cost of citation to be added to surcharge. Sheriff 's office to assist County Counsel in locating Taft. Court finds conservatee is deceased and there is no bond. Surcharge amount is \$189,771. PA has not marshaled any assets; PG has \$200; Michael Taft has absconded with the balance.

Continued from 12/13/07 and 2/14/08. Court questions where the \$200,000 in assets from conservatee's estate has gone and finds there are several issues in the accounting that need clarification. Court orders Attorney Fischel, former counsel for Michael Taft to appear on 4/3/08 and bring his complete file and all financial records re this case.

Last continued from 4/3/08. Attorney Fischel turns over all records to petitioner Michael Shawn Taft. Court directs petitioner to file a declaration with the court by 4/25/08 and sent copies to Scott Runyan, Public Guardian explaining the circumstances re foreclosure and sale and disbursement to Claudia Lopez, and also explaining withdrawals made and provide receipts. Scott Runyan to submit PG's recommendations re the same issues. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First and final accounting by former (suspended) conservator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary conservator appointed 12/22/05, general conservatorship of person and estate awarded 1/27/06, no bond.
2. Original conservator suspended 12/7/06 and Public Guardian was appointed temporary successor conservator. Public Guardian appointed general successor conservator 1/8/07.
3. Accounting period 12/22/05 to 12/7/06.
4. Assets on hand \$84,394.40.
5. No compensation request is made for conservator or attorney.
6. Objection filed by Public Guardian as successor conservator on the basis there are \$20,400 unexplained cash disbursements and an unexplained \$139,000 loss on sale of real property that included a \$30,371.20 from escrow to a Claudia Lopez for an unknown reason. Public Guardian requests that the court disallow the accounting or order prior conservator to file a supplemental accounting or surcharge prior conservator \$199,742.24 plus interest.
7. Citation returned. Michael Taft personally served 12/4/07.
8. **Need declaration from Michael Shawn Taft re: circumstances about the foreclosure and sale and disbursement to Claudia Lopez.**
9. **Need PG's recommendations re note 8.**

RECOMMENDATION

Court's discretion.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN MISC.

DATE: 05/22/08 TIME: 1:30 DEPT: E2

CASE #: PROPS0700496

CASE NAME: DANIEL HERBERT MORGAN III
SEE ALSO 24 25

HEARING:

Hearing Re: FURTHER MSC.

COUNSEL:

LAURA BEACHTEL (PET)...JOHN F WEBER
DANIEL HERBERT MORGAN III (DEC)...
BLANQUITA MORGAN SAYLOR (PET)...GREGORY L ZUMBRUNN
BLANQUITA MORGAN SAYLOR (OBJ)...ZUMBRUNN LAW CORPORATION
STATE OF CALIFORNIA FRANCISE T(PRO/PER)...PRO/PER

No notes – Further Mandatory Settlement Conference.

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 1:30 DEPT: E2

CASE #: PROPS0700496

CASE NAME: DANIEL HERBERT MORGAN III
SEE ALSO 23 25
HEARING:
Petition for TO ESTABLISH PARENT-CHILD RELATIONSHIP

COUNSEL:

LAURA BEACHTEL (PET)...JOHN F WEBER
DANIEL HERBERT MORGAN III (DEC)...
BLANQUITA MORGAN SAYLOR (PET)...GREGORY L ZUMBRUNN
BLANQUITA MORGAN SAYLOR (OBJ)...ZUMBRUNN LAW CORPORATION
STATE OF CALIFORNIA FRANCISE T(PRO/PER)...PRO/PER

GENERAL INFORMATION

Continued from 11/14/07 at request of counsel. Objections since filed.

Continued from 01-16-08 on court's motion for MSC setting. Nothing new filed.

Last continued from 3/19/08. Interim agreement reached (see Minute Order tabbed).

THIS CASE IS SET FOR HEARING ON Petition to establish parent-child relationship by
Laura Beachtel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges that petitioner is the biological daughter of decedent and offers a certified copy of the certificate of birth for Laura Beachtel on 4/24/83. The birth certificate lists the decedent, Daniel Herbert Morgan III as the father.
2. Petitioner alleges that petitioner's mother denied the decedent visitation when petitioner was about 30 months, but decedent remained in contact. About 2/2004 the relationship between petitioner and decedent was renewed and stayed in touch until decedent's death. Petitioner alleges decedent has openly held out that the petitioner was his own child.
3. **Opposition/Objections filed by Blanquita Saylor (mother).**

RECOMMENDATION:

Set for Further MSC hearing this date. See other notes this date re probate petitions.
(/vet/abs/gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/22/08 TIME: 1:30 DEPT: E2

CASE #: PROPS0700496

CASE NAME: DANIEL HERBERT MORGAN III
SEE ALSO 23 24

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

LAURA BEACHTEL (PET)...JOHN F WEBER
DANIEL HERBERT MORGAN III (DEC)...
BLANQUITA MORGAN SAYLOR (PET)...GREGORY L ZUMBRUNN
BLANQUITA MORGAN SAYLOR (OBJ)...ZUMBRUNN LAW CORPORATION
STATE OF CALIFORNIA FRANCISE T(PRO/PER)...PRO/PER

GENERAL INFORMATION:

Continued from 8/8/07 for counsel to file a petition for parental relationship.

Continued from 10/3/07 at request of counsel.

Continued from 11/14/07 at request of counsel.

Continued from 01-16-08 per parties request for MSC set this date.

**Last continued from 3/19/08. Interim Agreement reached (see Minute Order tabbed).
Need to resolve remaining issues and a further MSC is also before the court this date.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA, by Laura Beachtel (daughter).

Competing petition by Blanquita Saylor (mother of decedent).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

Beachtel Petition:

1. Petitioner is sole heir and waives bond.
2. Objection to this petition filed by Blanquita Saylor alleging there was no Parent-Child relationship between petitioner and decedent. See petition on this issue set for this same date. Must be resolved first.

Saylor Petition:

3. Petitioner requests no bond as heirs waive bond, However, Need waiver from Daniel Morgan Jr. and Laura Beachtel. Estimated estate value is \$950,000. Court may wish to set bond of \$950,000.

4. Nomination and waiver of bond filed by Daniel Morgan (father of decedent).
5. Objections filed by Beachtel alleging that objector is completing a DNA testing.

RECOMMENDATION:

See prior page re petition to establish parent-child relationship as to petitioner #1. If there is parent-child relationship then petitioner #1 has priority.

If approved, set future hearings for filing of Inventory & Appraisal on 12/18/08 and for Accounting Review on 7/30/09. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(/vet/abs/gls)